



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL MISC. BAIL APPLICATION No. - 15188 of 2026

Sajid

.....Applicant(s)

Versus

State Of U.P. And 3 Others

.....Opposite
Party(s)

Counsel for Applicant(s) : Avinash Ojha, Dharmendra Pratap Singh, Himanshu Dwivedi
Counsel for Opposite Party(s) : Akhilesh Kumar Tiwari, G.A., Santosh Kumar Tiwari

Court No. - 65
(Sl. No. 4 out of 259)

HON'BLE KRISHAN PAHAL, J.

1. List has been revised. As informed by learned A.G.A., notice to the informant has been served on 17.4.2026.
2. Heard Sri Dharmendra Pratap Singh, learned counsel for the applicant, Sri Santosh Kumar Tiwari, learned counsel for the informant as well as Sri Sunil Kumar, learned A.G.A. for the State and perused the material placed on record.
3. Applicant seeks bail in Case Crime No. 716 of 2025, under Sections 137(2), 351(4), 352, 64(1), 64(2)(5), 127, 3(5) BNS and 3/4 POCSO Act, Police Station Kairana, District Shamli, during the pendency of trial.

PROSECUTION STORY:

4. The FIR was instituted by the informant stating that aunt of the victim (Mausi Bano) has enticed away her minor daughter on 24.10.2025.

ARGUMENTS ON BEHALF OF APPLICANT:

5. The applicant is absolutely innocent and has been falsely implicated in the present case. The FIR is delayed by about 18 days and there is no explanation of the said delay caused.
6. Subsequently, the victim was recovered and she was produced at the

police station by the informant, his wife and his sister-in-law on 6.12.2025. The statement of the victim was recorded and she has stated that applicant, who happens to be the uncle (mausa) of the victim, had raped her as the named accused person Bano has closed the door from outside. The applicant further handed over the victim to another accused person Anuj and she stayed with him, who used to render her intoxicated and kept on committing rape with her for more than one month and she came out of his captivity and returned to her parental home. The said allegations are *per se* false.

7. The victim in her statement recorded u/s 183 BNSS has although stated against the applicant but the landlord of the house namely, Shakuntala, where co-accused Anuj used to live, has categorically stated that victim and co-accused person Anuj lived in her house as husband and wife. She is the consenting party as far as the co-accused person Anuj was concerned and the applicant and his wife have been falsely implicated in the case owing to family feud. There is no medical corroboration of the incident.

8. Learned counsel for the applicant has further stated that there is no criminal history of the applicant. The applicant is languishing in jail since 17.2.2026 and he is ready to cooperate with trial. In case, the applicant is released on bail, he will not misuse the liberty of bail.

ARGUMENTS ON BEHALF OF STATE/INFORMANT:

9. The victim was minor and she has been handed over by her uncle (Mausa-applicant) to the co-accused person Anuj and the said act of the applicant tantamounts to human trafficking.

CONCLUSION:

10. Considering the facts and circumstances of the case, submissions made by learned counsel for the parties, the evidence on record, taking into consideration the age of the victim and the statement of the owner of the house, where co-accused person Anuj used to live and without expressing any opinion on the merits of the case, the Court is of the view that the applicant has made out a case for bail. The bail application is **allowed**.

11. Let the applicant- **Sajid**, who is involved in aforementioned case crime be released on bail on his furnishing a personal bond and two sureties each

in the like amount to the satisfaction of the court concerned subject to verification of sureties, with the condition that he shall not tamper with evidence or intimidate witnesses and shall appear before the trial court as required.

12. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

13. It is made clear that observations made in granting bail to the applicant shall not in any way affect the learned trial Judge in forming his independent opinion based on the testimony of the witnesses.

(Krishan Pahal,J.)

May 6, 2026
Shalini